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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/385,394	08/30/1999	JOHN S. YATES JR.	114596/03-4000.	9093
38492	7590	10/14/2005	EXAMINER	
WILLKIE FARR & GALLAGHER LLP INTELLECTUAL PROPERTY LEGAL ASSISTANTS 787 SEVENTH AVE NEW YORK, NY 10019-6099			ELLIS, RICHARD L	
			ART UNIT	PAPER NUMBER
			2183	

DATE MAILED: 10/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER
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ART UNIT	PAPER
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20051005

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See attachment

Art Unit: 2183

1. Attached please find an IDS form 1449 showing consideration of the Kelly reference (WO 99/08188).
2. Applicant is reminded that this form 1449 is **cumulative** to other form 1449's located within the file wrapper, and an indication of consideration of other documents on the form can be found in other mailings.
3. Additionally, applicant is notified that the information disclosure statement ("IDS") included herewith fails to fully comply with 37 CFR 1.98(b)(4) which states:  
  
(4) Each foreign patent or published foreign patent application listed in an information disclosure statement must be identified by the country or **patent office** which issued the patent or published the application, an appropriate document number, and the publication date indicated on the patent or published application. (Emphasis added.)
4. Applicant is reminded that "PCT/US" is a type of document, not a country or patent office, and as such also does not meet the requirements for "country or patent office" which issued the document. The correct designation for PCT documents is "WIPO".
5. Applicant's IDS fails to meet the requirements of 37 CFR 1.98(b)(4) by listing two documents with the incorrect designation "PCT".

  
RICHARD L. ELLIS  
PRIMARY EXAMINER